

**Division VIII of Title 5 of the California Code of Regulations**

**Proposed Additions to California Code of Regulations, Title 5 Sections 80473  
and 80473.1, Pertaining to Allowance of a Grace Period for Credential  
Candidates to Complete Requirements**

**Notice of Proposed Rulemaking**

The California Commission on Teacher Credentialing proposes to add regulatory action described below after considering all comments, objections and recommendations regarding the proposed action.

**Public Hearing**

A public hearing on the proposed actions will be held:

February 06, 2003

10:00 a.m.

California Commission On Teacher Credentialing

1900 Capitol Avenue

Sacramento, California 95814

Oral comments on the proposed action will be taken at a public hearing. We would appreciate 14 days advance notice in order to schedule sufficient time on the agenda for all speakers. Please contact Raquel Rodriguez at 916-323-7093 regarding this. Any person wishing to submit written comments at the public hearing may do so. It is requested, but not required, that persons submitting such comments provide fifty copies to be distributed to the commissioners and interested members of the public. All written statements submitted at the hearing will, however, be given full consideration regardless of the number of copies submitted.

**Written Comment Period**

Any interested person, or his or her authorized representative, may submit written comments by fax, through the mail, or e-mail on the proposed action. The written comment period closes at 5:00 p.m. on February 5, 2003. Comments must be received by that time or may be submitted at the public hearing. You may fax your response to (916) 322-0048; write to the California Commission on Teacher Credentialing, attn Raquel Rodriguez, 1900 Capitol Avenue, Sacramento, California 95814-4213; submit an email at [rgarcia@ctc.ca.gov](mailto:rgarcia@ctc.ca.gov)

Any written comments received 14 days prior to the public hearing will be reproduced by the Commission's staff for each Commissioner as a courtesy to the

person submitting the comments and will be included in the written agenda prepared for and presented to the full commission meeting.

### **Authority and Reference**

Education Code Section 44225 authorizes the Commission to adopt the proposed action, which will implement, interpret or make specific Section 44252.1 of the Education Code and govern the procedures of the Commission.

### **Informative Digest/Policy Statement Overview**

#### Summary of Existing Laws and Regulations

Education Code Section 44225 provides that the Commission may promulgate rules and regulations. Section 44252.1 adds a grace period for completing requirements.

On October 5, 2001 Governor Davis signed AB 1307 (Goldberg) (Statutes of 2001, Chapter 565), adding section 44252.1 to the Education Code. This bill, which became effective January 1, 2002, allows a grace period for candidates currently enrolled in a credential preparation program to complete requirements that were in place when they entered the program. The addition of Education Code Section 44252.1 aligns with current Commission practice to allow credential candidates sufficient time to complete programs in which they originally enrolled. AB 1307 requires the Commission to adopt regulations to implement this bill. The Commission released Coded Correspondence 02-0005 on April 29, 2002, which outlined the Commission's initial implementation of the statute.

### **Proposed Changes to Title 5 Regulations**

**80473 (a)** – Staff is proposing to define commission-accredited programs for the purpose of this section as found Education Sections 44325-44328, 44450-44468, 44320-44324, and 44259.

**80473 (b) and (c)** – Staff is proposing to define “Enrolled” as continuously participating and working toward meeting requirements for a preliminary credential and “Continuously Enrolled” as not having a break that exceeds a period of 18 months in that program as found in Education Code Section 44252.1(b)(1)and (2).

**80473 (d)** – Staff is proposing to define “New or Amended Requirements” as requirements added by statutes, regulations and commission standards as found in Education Code Section 44252.1 (c).

**80473.1(a) through (g)** – Staff is proposing to add an allowance of a grace period to complete requirements as found in Education Code Section 44252.1 (c)(1-3),(d),(e),(f),and (g).

**Documents Incorporated by Reference:** None

**Documents Relied Upon in Preparing Regulations:** None

### **Disclosures Regarding the Proposed Actions.**

The Commission has made the following initial determinations:

*Mandate costs to local agencies or school districts:* None

*Other non-discretionary costs or savings imposed upon local agencies:* None

*Cost or savings to any state agency:* None

*Cost or savings in federal funding to the state:* None

*Significant effect on housing costs:* None

*Significant statewide adverse economic impact directly affecting businesses including the ability of California businesses to compete with businesses in other states:* None

These proposed regulations will not impose a mandate on local agencies or school districts that must be reimbursed in accordance with Part 7 (commencing with Section 17500) of the Government Code.

*Cost impacts on a representative private persons or business:* The Commission is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

*Assessment regarding the creation or elimination of jobs in California [Govt. Code §11346.3(b)]:* The Commission has made an assessment that the proposed amendments to the regulation would not (1) create nor eliminate jobs within California, (2) create new business or eliminate existing business within California, or (3) affect the expansion of businesses currently doing business within California.

*Effect on small businesses:* The Commission has determined that the proposed amendment to the regulations does not affect small businesses. The regulations are not mandatory but an option that affects school districts and county offices of education.

### **Consideration of Alternative**

The Commission must determine that no reasonable alternative it considered or that has otherwise been identified and brought to the attention of the Commission would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons or small business than the proposed action. Interested individuals may present statements or arguments with respect to alternatives to the proposed regulations at the scheduled hearing or during the written comment period.

### **Contact Person/Further Information**

General or substantive inquiries concerning the proposed action may be directed to Raquel Rodriguez by telephone at (916) 323-7093 or Raquel Rodriguez, California Commission On Teacher Credentialing, 1900 Capital Ave., Sacramento, CA 95814. General questions inquiries may also be directed to Debra Moss at (916) 322-4974 or at the address mentioned in the previous sentence. Upon request, a copy of the express terms of the proposed action and a copy of the initial statement of reasons will be made available. This information is also available on the Commission's web site at [www.ctc.ca.gov](http://www.ctc.ca.gov). In addition, all the information on which this proposal is based is available for inspection and copying.

### **Availability of Statement of Reasons and Text of Proposed Regulations**

The entire rulemaking file is available for inspection and copying throughout the rulemaking process at the Commission at the above address. As of the date this notice is published in the Notice of Register, the rulemaking file consists of this notice, the proposed text of regulations, and the initial statement of reasons.

### **Modification of Proposed Action**

If the Commission proposes to modify the actions hereby proposed, the modifications (other than non-substantial or solely grammatical modifications) will be made available for public comment for at least 15 days before they are adopted.

### **Availability of Final Statement of Reasons**

The Final Statement of Reasons is submitted to the Office Administrative Law as part of the final rulemaking package, after the public hearing. When it is available, it will be placed on the Commission's web site at [www.ctc.ca.gov](http://www.ctc.ca.gov) or you may obtain a copy by contacting Raquel Rodriguez at (916) 323-7093.

### **Availability of Documents on the Internet**

Copies of the Notice of Proposed Action, the Initial Statement of Reasons and the text of the regulations in underline and strikeout can be accessed through the Commission's web site [www.ctc.ca.gov](http://www.ctc.ca.gov).